

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

_____	:	Hon. Dennis M. Cavanaugh
UNITED STATES OF AMERICA	:	
	:	ORDER
	:	
v.	:	Criminal Action No. 08-CR-0757 (DMC)
	:	
	:	
THOMAS TELFAIR	:	
a/k/a "Hassan Gatling"	:	
_____	:	

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon motion by Defendant Thomas Telfair¹ to dismiss the indictment or, in the alternative, to permit an interlocutory appeal of this Court's order and upon motion *in limine* by Defendant. After reviewing all submissions and based upon the proceedings held before this Court;

IT IS on this 19 day of February, 2010;

WHEREFORE Defendant moves to dismiss the indictment pursuant to Fed. R. Crim. P. 12(b)(3), (4)(A)(B), or, in the alternative, to permit an interlocutory appeal of this Court's order;

WHEREFORE Defendant moves to dismiss the indictment on the basis of alleged prosecutorial misconduct, violation of the double jeopardy and equal protection clauses or, in the alternative, to permit an interlocutory appeal of this Court's order;

WHEREFORE Defendant moves to admit the results of a polygraph examination, to use

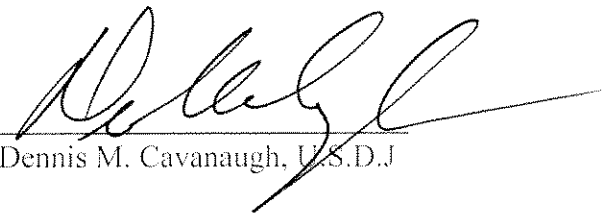
¹Defendant is presently represented by counsel, however, these motions come before the Court by Defendant in a *pro se* capacity.

the polygraph examiner as a character witness or, in the alternative, moves to depose the government's witnesses pursuant to Fed. R. Civ. P. 30; Fed. R. Crim. P. 15;

WHEREFORE this Court's previous order precludes Defendant's most recent *in limine* motion to admit the polygraph examination and depose government witnesses;

WHEREFORE the remaining motions were filed on the eve of trial and as a result, were untimely or alternatively, previously filed and ruled upon;

ORDERED Defendant's motions are **denied**.



Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk
cc: All Counsel of Record
Hon. Mark Falk, U.S.M.J.
File